

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:19-CV-509-D

SYNGENTA CROP PROTECTION, LLC,)
)
Plaintiff,)
)
v.)
)
ATTICUS, LLC,)
)
Defendant.)

ORDER

This matter is before the court on Plaintiff's unopposed motion to seal documents submitted by Defendant in opposition to Plaintiff's Second Motion to Compel Discovery. Specifically, Plaintiff seeks to seal Defendant's Response and Exhibits 1 and 2 submitted in support thereof on the ground they "reference or consist of sensitive business information concerning Syngenta's corporate structure and Syngenta's confidential business relationships with other Syngenta entities and third parties." (Mot. Seal [DE #188] at 1 (stating grounds for sealing response and Exhibit 1); *see also* Mem. Supp. Mot. Seal [DE #189] at 7 (making similar argument in support of sealing Exhibit 2).)

For the reasons set forth in Plaintiff's motion and supporting memorandum, the court finds that the public's common law right of access is outweighed by Plaintiff's interests in protecting against competitive and/or financial harm to Plaintiff were such information made public. *In re Knight Publ'g Co.*, 743 F.2d 231 (4th Cir. 1984). Public notice of Plaintiff's request to seal and a reasonable

opportunity to object have been provided by the filing of its motion, and no objections have been filed with the court. Furthermore, Plaintiff has narrowly tailored its request to remove only information that is sensitive and confidential and not otherwise publicly known. Plaintiff's motion is therefore allowed.

CONCLUSION

For the foregoing reasons, it is hereby ORDERED as follows:

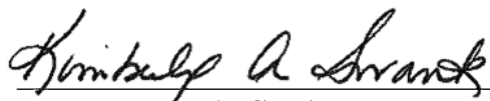
1. Plaintiff's Motion to Seal [DE #188] is GRANTED, and the following documents shall be SEALED:

a. Defendant's Response in Opposition to Plaintiff's Second Motion to Compel Discovery [DE #166]. A redacted version of this filing is attached as Exhibit 1 to the Declaration of Jeff Cecil [DE #190-1];

b. Exhibit 1 to Declaration of Robert J. Scheffel [DE #170-1]. A redacted version of this filing is attached as Exhibit 2 to the Declaration of Jeff Cecil [DE #190-2]; and

c. Exhibit 2 to Declaration of Robert J. Scheffel [DE #170-2]. A redacted version of this filing is attached as Exhibit 3 to the Declaration of Jeff Cecil [DE #190-3].

This 26th day of June 2021.



KIMBERLY A. SWANK

United States Magistrate Judge